

REMARKS

Receipt of the Office Action of July 22, 2005 is respectfully acknowledged..

Claims 1 - 8 are pending, and these have been rejected as follows (1) claims 2 and 7 as failing to comply with the enablement requirement of 35 USC 112, first paragraph; (2) claims 1 - 7 as indefinite under 35 USC 112, second paragraph; (3) claims 1, 3, 4, 5, 6 and 7 as unpatentable under 35 USC 103(a) over Krause et al in view of Draus; (4) claim 3 and 7 as unpatentable under 35 USC 103(a) over Krause et al in view of Draus and further in view of Boom et al;; and (5) claim 8 as objected to for "being in improper form."

Claims 1 - 8 have been replaced with new claims 9 - 16. New claims 9 - 16 retain the scope of original claims 1 - 8, except that they are definite and claim 16 (previously claim 8) is no longer in improper form. Accordingly, items (2) and (5) have been rendered moot.

Rejections (1), (3) and (4) are respectfully traversed.

(1)

The examiner has predicated this rejection on an observation which is not justified, namely, the examiner states "...as more fluid passed downward from line 11, more (or less) fluid will pass through one meter than the other meter." Why? Such a conclusion is contrary to what is ordinarily understood by a parallel system. In a parallel system the intent is to "duplicate." One path can be removed from the working path so that the working path can be monitored. A parallel flow system can be designed to have the same flow with one flow intended to monitor the other. There is no reason to interpret the parallel systems here any differently. see page 2, lines 29 - 31, for example.

(3) - (4)

Claim 9 recites "at least one flow meter" and then "and/or at least one flow meter calibration cart." This possibility is not disclosed in either Krause et al,

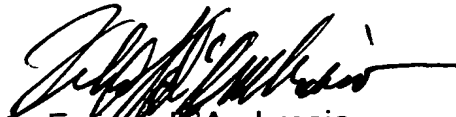
Draus or Boom et al. It is respectfully submitted that without this teaching the references identified and the combination proposed cannot render claim 9 unpatentable. The same can be concluded for method claims 15 because of the reliance in claim 15 on "the flow meter or the flow meter calibration cart." With respect to claim 16, the step of "adding a quantity of a sterile conductive solution to the pure sterilized water: is not found in any of the references.

It should also be noted that in new claim 9, as in original claim 1, the source provides "pure sterilized water" or "a source of a sterile conductive solution." See the disclosure bridging pages 11 and 12 of the specification.

In view of the foregoing, reconsideration and re-examination are respectfully requested and claims 9 - 16 found allowable.

Respectfully submitted,
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